

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,
Plaintiff,

v.

NATHAN C. LOUIE, et al.,
Defendants.

Case No. [21-cv-00771-TSH](#)

ORDER TO SHOW CAUSE


Plaintiff Scott Johnson filed this Americans with Disabilities Act case on February 1, 2021, alleging Defendants Nathan and Nancy Louie and MW Chinese Gourmet operate a restaurant that is not ADA compliant. The Louies filed an answer on April 8, 2021. ECF No. 12. After MW Chinese Gourmet failed to respond to Johnson's complaint or otherwise appear, the Clerk entered its default on May 6, 2021. ECF No. 17. As there had been no further docket activity, and the deadline to request mediation under General Order 56 had passed, the Court ordered the parties to file a status report by July 19, 2021. No response has been received.

Accordingly, the Court **ORDERS** Plaintiff Scott Johnson to show cause why this case should not be dismissed for failure to prosecute and failure to comply with court deadlines. Johnson shall file a declaration by August 2, 2021. If a responsive declaration is filed, the Court shall either issue an order based on the declaration or conduct a hearing on August 12, 2021 at 10:00 a.m. by Zoom video conference. The webinar link and instructions are located at <https://cand.uscourts.gov/judges/hixson-thomas-s-tsh/>.

Notice is hereby provided that failure to file a written response will be deemed an admission that Johnson does not intend to prosecute, and the case may be dismissed without prejudice. Thus, it is imperative the Court receive a written response by the deadline above.

IT IS SO ORDERED.

Dated: July 20, 2021


THOMAS S. HIXSON
United States Magistrate Judge